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January 8, 2020

VIA ECF

Honorable Michael B. Kaplan
United States Bankruptcy Judge
District of New Jersey
404 East State Street
Trenton, New Jersey 08608
Courtroom No. 8

In re: Hollister Construction Services, LLC
Case No.: 19-27439 (MBK)

Dear Judge Kaplan:

This firm represents Control Services LLC in this Bankruptcy proceeding, as well as in a consolidated case entitled Apple Coring and Sawing, LLC v. Control Services, LLC, et al., Docket No.: ESX-L-4707-18 and ESX-L-246-19, which the movants describe as one of the Construction Lien Litigations that it seeks to have stayed. Please accept this letter brief as our opposition to the motion to enforce the stay, as well as the motion for a shortened notice and hearing period.

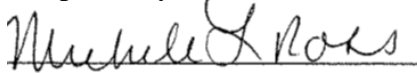
With respect to the shortened notice and hearing period, to the extent that this motion is not denied outright, we oppose this request and would request further opportunity for briefing. The Construction Lien Litigation that the movant seeks to stop has been ongoing since 2018 and has involved a significant investment of resources by the parties. Moreover, the movants here, continue to participate in said litigation, having just recently requested, and receiving an extension of discovery through October of 2020. To stay said litigation would be a drastic step that at the very least warrants a full briefing schedule.

In any event, the remainder of the motion should be denied. The movants herein, and defendants in the Construction Lien Litigations are not the debtor herein, and the litigations at issue do not concern construction liens, and thus do not implicate the assets of the debtor.

Upon receiving notice of the bankruptcy filing by Hollister Construction Services, LLC, ("HCS"), the Honorable Thomas R. Vena, J.S.C., the judge assigned to the Construction Lien Litigation at issue, requested that the parties brief the extent to which the automatic stay of the Bankruptcy Code stays the litigation before him. Upon receiving submissions from all relevant parties, Judge Vena entertained oral argument and issued an oral ruling from the bench on October 25, 2019. The upshot of his decision was that the automatic stay applied only to 1)

claims against the debtor, and 2) lien foreclosure claims against parties other than the debtor. However, claims against the property's owners, the movants herein, for causes of action other than foreclosure of liens, were permitted to go forward. Indeed, there is no authority for staying non-lien claims against parties who are not the debtor. Accordingly, the instant motion should be denied with respect to the request for a stay of Apple Coring and Sawing, LLC v. Control Services, LLC, et al., Docket No.: ESX-L-4707-18 and ESX-L-246-19.

Respectfully,

A handwritten signature in black ink, appearing to read "Michele L. Ross", written over a horizontal line.

Michele L. Ross

Cc: All Counsel of Record (by ECF)